

Tribal Homeland Security News – March 2006 update

- To date, nine Tribes have Letters of Offers and Acceptance (LOA) in place with Arizona. Two additional Tribes are currently in the process of approving LOAs. Outreach to the remaining tribes will follow this year. *See additional information on LOAs below.*
- Native American speakers and topics will be featured at the Southwest Regional Homeland Security Conference on April 18-19, 2006. Visit our website at www.swhomelandsecurity.com.
- Great news about Tribal NIMCAST compliance! 18 of the 22 tribes have their baseline surveys complete. Of the remaining four, two don't have a population base or key resources within the area. The other two are experiencing technical difficulties with their internet and will be submitting hardcopies to the state.
- The Homeland Security Information Network currently has four Tribes active on their portal and will be expanded to include more Tribal nations.
- Tohono O'odham Nation received homeland security funds to upgrade their public safety efforts and communications projects. They, along with the Cocopah Indian Tribe, received Emergency Declaration reimbursements.
- To date, eleven Navajo Nation firefighters have been trained, certified and equipped as Hazardous Materials Technicians. Please see websites, <http://www.firerescue.navajo.org/FSTraining.html> and <http://www.firerescue.navajo.org/Events.html>
- The Navajo Nation and the Hopi Tribe, along with 40 local, state and federal agencies held a mass vaccination clinic and smallpox disaster drill in the fall, during which 4,000 community members were inoculated in one day at two different sites on the reservation.
- Tribal subcommittees have been approved for the East and South Regional Advisory Councils (RACs). The North Tribal Subcommittee has been very successful in making sure the tribes get involved within their specific region and was featured during the 25th Arizona Indian Town Hall.
- At the Tribes' request, cultural awareness is being addressed during training and exercises. Medicine men and healers are now included in the process.
- The National Congress of American Indians (NCAI) has stated that Arizona's Governor has done phenomenal work in recognizing the need for homeland security assistance for and outreach to the tribes.
- Fort Mohave Indian Tribe has developed a Tribal Bio-terrorism Response Plan and is currently developing a Multi-Jurisdictional Hazard Mitigation Plan with Mohave County. The plan is the first of its kind within the state; no other tribe has a multi-jurisdictional, multi-tribal plan with a county.
- Cocopah Indian Tribe received recognition for Best Practices in Emergency Preparedness & Response and for their efforts in homeland security. The survey was conducted by the National Native American Law Enforcement Agency for U.S. Department of Homeland Security / Office of Domestic Preparedness. The tribe has also published an Incident Command/Emergency Management quick reference flip chart.

- San Carlos Apache’s Multi-Hazard Mitigation Plan was approved by FEMA and adopted in October 2005 after being approved by the Tribal Council last August.
- As part of “Border 2012” Arizona’s border counties are recognizing tri-national plans between Mexico, Arizona and Tribal Nations. Many Tribal Nations including Cocopah and Tohono O’odham have land and population on both sides of the international border. Through “Border 2012” the unique needs and sovereignty of these Nations are recognized.

Summary of Letter of Offer and Acceptance

In 2004, with Governor Napolitano’s creation of five homeland security regions in Arizona, the Office of Homeland Security (OHS), under the direction of Frank Navarrete, conceptualized a new form of agreement for the conveyance of Federal Homeland Security Grant funds to Arizona Indian Tribes and Nations – the Letter of Offer and Acceptance (LOA). LOAs are often used by the United States to convey military equipment and services under foreign military assistance grant programs to foreign nations, and have been considered as an alternative to Intergovernmental Agreements.

Below is a comparative summary of IGAs and LOAs:

Inter-Governmental Agreements	Letter of Offer & Acceptance
Tribal Sovereignty not recognized directly or reflected in language of standard IGA.	Tribal Sovereignty recognized up front and language accommodates Tribal requirements. Also eliminates references to vestigial state law and regulations
Rigid format—required state procurement language - sometimes cannot be adapted to fit needs of Tribal Communities.	Flexible format—minimum requirements for all LOAs include 1-certification of grant guideline adherence, 2-accepted accounting practices, and 3-reporting—other provisions are adaptable to address unique Tribal characteristics and requirements
Limited purpose document—used for one specific grant program and tied to one grant year	Potential multi-use, multi-year conveyance document; Tribe signs one LOA covering multiple grant programs and years—amended/appended as needed.

In the summer of 2005, the OHS finalized the LOA and initiated a pilot program to introduce the LOA to the tribes. The pilot program targeted Tribes that had received Homeland Security Grant Program awards for FY ’03 and FY ’04 – which had federally imposed 2005 proof of encumbrance deadlines. These Tribes were targeted for the pilot program to ensure that they received the awarded funds.

Following the receipt of positive feedback on the pilot program from the Tribes, the OHS initiated a roll-out of the LOA to tribes that received FY ’05 awards – the majority of Arizona Tribal Nations. This roll-out occurred during the initial visit made to each Tribe by the first full-time OHS Tribal Liaison, hired in June 2005. This initial visit covered the LOA in addition to other homeland security “all hazards” issues. Thus, the Tribes were presented with how the LOA fit into the entire state and federal Homeland Security picture.